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Attorneys for Defendant
SPECTRUM LABORATORIES, LLC

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

AIM HIGH INVESTMENT GROUP, LLC,

Plaintiff/Counter-Defendant,

Vs.

SPECTRUM LABORATORIES, LLC,

Defendant/Counter-Claimant.

Case No. 8:22-mc-00011-DOC-ADS

Assigned to Judge David O. Carter
and Magistrate Judge Autumn D.
Spaeth

**DECLARATION OF MATTHEW
J. CAVANAGH IN SUPPORT OF
REQUEST FOR REMOTE
APPEARANCE**

Hearing Date: August 17, 2022
Time: 10:00 AM
Courtroom: 6B, 6th Floor
Ronald Reagan Federal Building

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1 I, Matthew J. Cavanagh, declare as follows:

2 1. I have personal knowledge of the facts stated herein and, if called as a
3 witness, could and would competently testify to them.

4 2. I am a member at the Cleveland, Ohio, law offices of McDonald Hopkins
5 LLC (“McDonald Hopkins” or “MH”).

6 3. I am licensed to practice law in the state of Ohio, before the United States
7 District Court for the Northern District of Ohio, before various other federal courts,
8 before the United States Patent and Trademark Office, and have applied to appear in
9 this action pro hac vice.

10 4. I am one of the attorneys representing Defendant Spectrum Laboratories,
11 LLC and Non-Parties S&N Labs and Element Santa Fe Springs in this case.

12 5. I submit this declaration in support of Spectrum’s motion to convert the
13 August 17, 2022 Hearing to a remote hearing or, alternatively, to allow me to attend
14 remotely.

15 6. Spectrum is an Ohio-based company.

16 7. My law firm, McDonald Hopkins LLC, is Spectrum’s lead counsel in this
17 action and the related Nevada action.

18 8. I live in Cleveland, Ohio, and work at McDonald Hopkins’ main office in
19 Cleveland, Ohio.

20 9. I am the Spectrum attorney most familiar with the issues relevant to Aim
21 High’s pending motion to compel in this action, and I was the attorney that engaged in
22 the pre-suit settlement discussions with Aim High’s attorney that are at issue.

23 10. If I were required to attend the August 17 hearing in-person, I would have
24 to fly from Cleveland to Los Angeles and likely rent a car to drive to Santa Ana.

25 11. I have reviewed available airline flights from Cleveland to Los Angeles
26 International Airport, and my most likely flight arrangements are as follows:
27
28

Depart Cleveland	Aug. 16, 9:30 am (ET)
Arrive LAX	Aug. 16, 3:06 pm (PT)
Depart LAX	Aug. 17, 10:35 pm (PT)
Arrive Cleveland	Aug. 18, 6:08 am (PT)

12. Thus, I would lose almost two full days traveling from Cleveland to Santa Ana, and would have to stay overnight in a hotel.

13. My client Spectrum Laboratories, LLC also would incur significant legal fees because I bill my time per hour on this matter and would incur my travel costs and expenses.

14. Moreover, this travel would take me away from my professional and personal obligations for two days and impose burdens and expenses that could be avoided with a remote hearing.

15. Since the COVID epidemic hit in March 2020, I have participated effectively in numerous Court hearings remotely by phone and video-conference (e.g., Zoom). If I were to attend the August 17 hearing remotely, I am confident that I could participate effectively without diminishing the hearing.

16. I met and conferred with counsel for Plaintiff AIM HIGH INVESTMENT GROUP, LLC on July 25, 2022 regarding this motion. Plaintiff's counsel confirmed that there was no objection to Defendant Spectrum Laboratories, LLC filing a motion with the Court so that I could appear remotely.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 5, 2022



Matthew J. Cavanagh

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2022, I electronically filed the
**DECLARATION OF MATTHEW J. CAVANAGH IN SUPPORT OF
REQUEST FOR REMOTE APPEARANCE** with the Clerk of the Court using
CM/ECF. I further certify that a true and correct copy of the foregoing document is
being served via transmission of Notices of Electronic Filing generated by CM/ECF
to all participants in the case who are registered CM/ECF users.



/s/ Leticia G. Larios

Leticia G. Larios, Employee At
THE MALONEY FIRM APC

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